

103^D CONGRESS
1ST SESSION

H. R. 1332

To amend the Internal Revenue Code of 1986 and title II of the Social Security Act to expand the social security exemption for election officials and election workers employed by State and local governments.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 1993

Mr. SWIFT (for himself, Mr. ROSE, and Mr. LIVINGSTON) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 and title II of the Social Security Act to expand the social security exemption for election officials and election workers employed by State and local governments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXPANSION OF SOCIAL SECURITY EXEMPTION**
4 **FOR ELECTION OFFICIALS AND ELECTION**
5 **WORKERS EMPLOYED BY STATE AND LOCAL**
6 **GOVERNMENTS.**

7 (a) EXEMPTION FROM FICA TAXES.—

1 (1) OASDI TAX.—Clause (iv) of section
2 3121(b)(7)(F) of the Internal Revenue Code of 1986
3 (relating to treatment of State and local employ-
4 ment) is amended by striking “\$100” and inserting
5 “\$1,000 with respect to service performed in 1994,
6 and the exempt remuneration amount determined
7 under section 218(c)(8)(B) of the Social Security
8 Act with respect to service performed thereafter”.

9 (2) HI TAX.—Subclause (V) of section
10 3121(u)(2)(B)(ii) of such Code (relating to treat-
11 ment of State and local employment) is amended by
12 striking “\$100” and inserting “\$1,000 with respect
13 to service performed in 1994, and the exempt remu-
14 neration amount determined under section
15 218(c)(8)(B) of the Social Security Act with respect
16 to service performed thereafter”.

17 (b) EXCLUSION OF EXEMPTED SERVICE FROM COM-
18 PUTATION OF SOCIAL SECURITY BENEFITS.—

19 (1) OASDI BENEFITS.—Clause (iv) of section
20 210(a)(7)(F) of the Social Security Act (42 U.S.C.
21 410(a)(7)(F)(iv)) is amended by striking “\$100”
22 and inserting “\$1,000 with respect to service per-
23 formed in 1994, and the exempt remuneration
24 amount determined under section 218(c)(8)(B) with
25 respect to service performed thereafter”.

1 (2) HI BENEFITS.—Subparagraph (E) of sec-
2 tion 210(p)(2) of such Act (42 U.S.C. 410(p)(2)(E))
3 is amended by striking “\$100” and inserting
4 “\$1,000 with respect to service performed in 1994,
5 and the exempt remuneration amount determined
6 under section 218(c)(8)(B) with respect to service
7 performed thereafter”.

8 (c) AUTHORITY TO CONFORM COVERAGE AGREE-
9 MENTS.—Section 218(c)(8) of the Social Security Act (42
10 U.S.C. 418(c)(8)) is amended by striking “\$100” and in-
11 serting “\$1,000 with respect to service performed in 1994,
12 and the exempt remuneration amount determined under
13 subparagraph (B) with respect to service performed there-
14 after”.

15 (d) INDEXATION OF EXEMPT REMUNERATION
16 AMOUNT.—

17 (1) IN GENERAL.—Section 218(c)(8) of the So-
18 cial Security Act (as amended by subsection (c)) is
19 further amended—

20 (A) by inserting “(A)” after “(8)”; and

21 (B) by adding at the end the following new
22 subparagraphs:

23 “(B) The Secretary shall, on or before November 1
24 of 1994 and of every year thereafter, determine and pub-
25 lish in the Federal Register the exempt remuneration

1 amount which shall be effective with respect to service per-
2 formed during the following calendar year.

3 “(C) The exempt remuneration amount determined
4 under subparagraph (B) shall be the larger of—

5 “(i) the dollar amount in effect under subpara-
6 graph (A) with respect to service performed during
7 the calendar year in which the determination under
8 subparagraph (B) is made, or

9 “(ii) the product of—

10 “(I) \$1,000, and

11 “(II) the indexing ratio described in sub-
12 paragraph (D),

13 with such product, if not a multiple of \$100, being
14 rounded to the next higher multiple of \$100 where
15 such product is a multiple of \$50 but not of \$100
16 and to the nearest multiple of \$100 in any other
17 case.

18 “(D) For purposes of subparagraph (C)(ii)(II), the
19 indexing ratio is the ratio of—

20 “(i) the deemed average total wages (as defined
21 in section 209(k)(1)) for the calendar year before
22 the calendar year in which the determination under
23 subparagraph (B) is made, to

24 “(ii) the average of the total wages (as defined
25 in regulations of the Secretary and computed with-

1 out regard to the limitations specified in section
2 209(a)(1)) reported to the Secretary of the Treasury
3 or his delegate for 1991 (as published in the Federal
4 Register in accordance with section 215(a)(1)(D)).”.

5 (2) CONFORMING AMENDMENT.—Section
6 209(k)(1) of such Act (42 U.S.C. 409(k)(1)) is
7 amended by inserting “218(c)(8)(D)(i),” after
8 “215(b)(3)(A)(ii),”.

9 **SEC. 2. EFFECTIVE DATE.**

10 The amendments made by this Act shall apply with
11 respect to service performed on or after January 1, 1994.

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